

45309-54

10/12/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 12, 2012

Mark Jernigan
Regulatory Affairs Manager
Aqua-Clear Industries, Inc.
P.O. Box 2456
Suwanee, Georgia 30024

Subject: Aqua Clear Winter Algaecide
EPA Registration No.: 45309-54
Notification Date: September 6, 2012
EPA Receipt Date: September 12, 2012

Dear Mr. Jernigan

This letter acknowledges receipt of your notification submitted under the provisions of PR Notice 98-10 and 40CFR 152.46.

Proposed Notification

Addition of optional marketing claims to label text.

General Comments

Based on a review of the submitted materials, your notification for the additional marketing related text is acceptable and will be made a part of the records on file.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6233 or by e-mail at noble.velma@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Velma Noble
Product Manager
Regulatory Management Branch I
Antimicrobials Division (7510P)

CONCURRENCES

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 45309-54	2. EPA Product Manager V. Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aqua Clear Winter Algacide	PM# 31	
5. Name and Address of Applicant (Include ZIP Code) Aqua-Clear Industries, Inc. PO Box 2456 Suwanee, GA 30024 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Fee Determination: Fee Category - Not Applicable (Notification) mark.jernigan@chemtura.com

Notification to add additional marketing statements. Per PR Notice 98-10, Section II, (Labeling Notifications), Part N (Other Revisions). Please see attached page for certification.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container pint, quart, 1/2 gallon, gallon		5. Location of Label Directions <input checked="" type="checkbox"/> On label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mark Jernigan	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 678-592-4149
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment, both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Affairs Manager	
4. Typed Name Mark Jernigan	5. Date 9/6/12	

{All text in brackets [xxx] is optional and may or may not be included on a final label.}
{All text in braces {xxx} is administrative and will not appear on a final label.}

AQUA CLEAR WINTER ALGAECIDE

ACTIVE INGREDIENT:	
Alkyl (50% C ₁₄ , 40% C ₁₂ , 10% C ₁₆)	
Dimethyl Benzyl Ammonium Chloride	20.0%
OTHER INGREDIENT:	80.0%
TOTAL INGREDIENTS:	100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

See [back] [side] panel for First Aid and additional precautionary statements.

MANUFACTURED FOR:
 AQUA CLEAR INDUSTRIES, LLC.
 P.O. BOX 2456
 SUWANEE, GEORGIA 30024

EPA REG. # 45309-54
 EPA EST. # 5185-GA-1

NET CONTENTS: {as indicated on container}

[What?] {For use on front panel of label as a header above/beside product name.}

[Why?] {For use on front panel of label as a header above/beside marketing statements chosen from accepted label text that relates to the consumer features and benefits of product.}

{Non-Foaming Claims (Apply to All)}

- [Non-Foaming]
- [Non-Foaming Formula]
- [Does Not Foam]
- [Controls Algae without producing foam]
- [Controls Algae without creating foam problems]
- [Use where foam is a concern]

{Optional marketing statements that may be used with swimming pool algaecide direction on pages 4 and 9}

- [For all Gunitite and Vinyl Lined Pools]
- [Prevents algae]
- [Prevents and controls green and blue-green colored algae]
- [Prevents and controls algae]
- [Suitable for all pool types]
- [Weekly use prevents algae growth]
- [Concentrated formula compared to [standard] 10% [algaecide] {or} [algicide]]
- [A swimming pool [algaecide] {or} [algicide]]
- [Economical 20% algae preventative]
- [[Green] [and] [blue-green] Algae control for above ground pools]
- [[Green] [and] [blue-green] Algae control for in-ground pools]
- [Keeps water clear and free of visible [green] [blue-green] algae]

- [Use full strength]
- [Twice as concentrated as [ordinary] 10% algaecide]
- [1/2 gallon of 20% [algaecide] {or} [algicide] treats the same amount of pool water as 1 gallon of 10%]
- [Concentrated Formula]
- [algaecide] {or} [algicide]]
- [Suitable for opening pools]
- [Can be used in salt pools]
- [Compatible with salt pools]
- [Effective [Green Algae] Preventative]
- [Effective Preventative Treatment of [Green] Algae]]
- [Effective in preventing the growth of Green Algae [and Blue-Green Algae]]
- [Prevents [Green] Algae [Growth]]
- [Easy to Use]
- [Effective in plaster and vinyl pools]
- [[Pour] [Add] directly in [to] pool [water]]
- [As needed]
- [Per use directions]
- [For use in all pool types]
- [Suitable for all pools]
- [Suitable for all pool types]
- [Can be used in all pools]
- [Fast acting [Green][Algae][Preventor]]
- [20% Algicide]
- [20% Algaecide]
- [Step 4]
- [4-Step System]

NEW TEXT

{When?} {For use on front panel of label as a header above/beside text chosen from accepted label text that relates to the consumer anticipated frequency of product use.}

- [Use weekly]
- [Weekly use]
- [Use once a week]
- [1X a week]

NEW TEXT

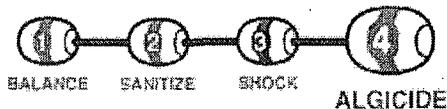
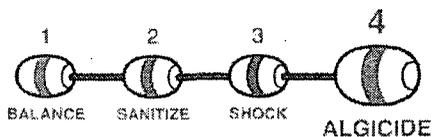
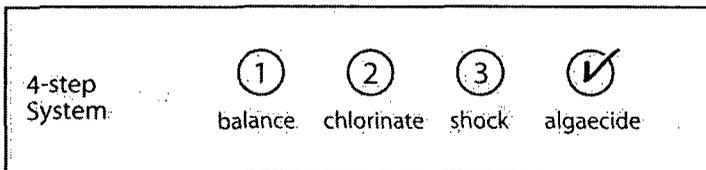
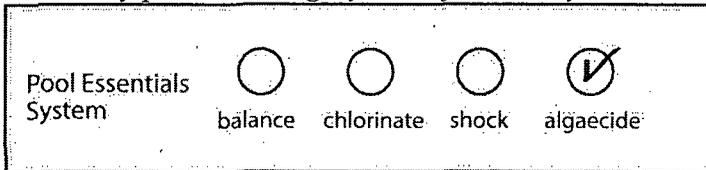
- [What kind of algae do you have?]
- [(x) green () mustard () black]

{The "Pool Essentials System" or "4-step System" box below may be placed on the label to allow easy product category identification by consumers.}

Pool Essentials System	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	balance	chlorinate	shock	algaecide

4-step System	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	1	2	3	algaecide
	balance	chlorinate	shock	

{The "Pool Essentials System" or "4-step System" box below may be placed on the label to allow easy product category identification by consumers.}



{Optional marketing statements that may be used with winter algaecide directions on page 8 and 9.}

[For Control of Algae in Swimming Pools]

[Winter Algae Preventative]

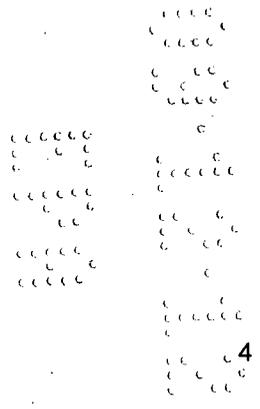
[Helps Control Green Water due to Algae]

[Reduces growth of green and blue-green algae in pools over the winter months]

[For all Gunitite and Vinyl Lined Pools]

[Reduces growth of green algae in pools during the winter]

[Suitable for closing pools]



{Directions to be used for swimming pool algaecide}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] {or} [This product] efficiently and economically reduces green and blue-green algae [growth] in pools. It will not harm pool surfaces or equipment.

IMPORTANT NOTES:

1. Always apply this and other pool treatment chemicals separately, never combine them.
2. When using other products as outlined in directions for this product, always follow directions on those products.
3. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate of chlorine loss. Always maintain residual chlorine level between 1-3 ppm.
4. This product may foam and therefore should not be used for spa treatment or in pools with attached spas or jetted returns.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

BEFORE YOU BEGIN:

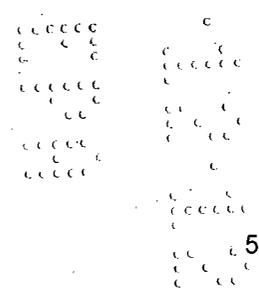
1. Ensure all pool equipment is working properly. Clean or backwash the filter following manufacturer's directions.
2. Adjust stabilizer levels to 30-50 ppm by adding Stabilizer.
3. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Adjust alkalinity to 80-125 ppm for plaster pools, 125-150 ppm for vinyl or fiberglass pools by adding an alkalinity increaser. Adjust pH to 7.2 - 7.6 by adding a pH decreaser to lower pH, or by adding a pH increaser to raise pH. Adjust calcium hardness to 200-275 ppm for plaster pools, 175-225 ppm for vinyl or fiberglass pools by adding a calcium hardness increaser.
4. Check and adjust residual chlorine level to desirable range of 1-3 ppm.

NOW USE THIS PRODUCT:

Initial Application/Start Up Dose:

[1.] For initial application, [or when visible algae is present,] add [13 fluid ounces per 10,000 gallons], {or} [6.5 fluid ounces per 5,000 gallons] of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 2 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.

[2.] If necessary, the next day, brush dead algae off pool surfaces so it can be filtered away. Repeat step 1 to remove additional algae.]

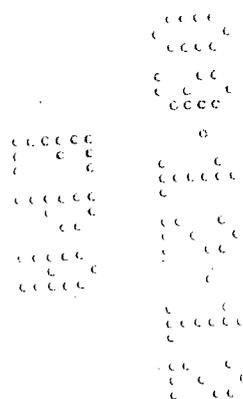


Maintenance Application:

To prevent algae growth add this product every 5-7 days or after heavy rain at a rate of [3 fluid ounces per 10,000 gallons], {or} [1.5 fluid ounces per 5,000 gallons], of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 0.5 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.

{Following chart is optional. All or some of the swimming pool capacities may be incorporated.}

Swimming Pool Capacity Gallons of Water	Initial Treatment	Weekly Maintenance Dose
5,000	6.5 fl. oz.	1.5 fl. oz.
10,000	13 fl. oz.	3 fl. oz.
20,000	26 fl. oz.	6 fl. oz.
25,000	32.5 fl. oz.	7.5 fl. oz.
30,000	39 fl. oz.	9 fl. oz.



9/14

{Directions to be used for swimming pool algaecide for small volume pools}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] {or} [This product] efficiently and economically reduces green and blue-green algae [growth] in smaller volume pools. It will not harm pool surfaces or equipment.

IMPORTANT NOTES:

1. Use only with pools that have a water re-circulating system (pump) and filter.
2. Always apply this and other pool treatment chemicals separately, never combine them.
3. When using other products as outlined in directions for this product, always follow directions on those products.
4. If you use a measuring spoon, use a clean, dedicated spoon to dose the appropriate amount of product into the pool. Keep the dosage spoon stored out of reach of children.
5. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate of chlorine loss. Always maintain residual chlorine level between 1-3 ppm.
6. This product may foam and therefore should not be used for spa treatment or in pools with jetted returns.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

BEFORE YOU BEGIN:

1. Ensure all pool equipment is working properly. Clean or backwash the filter following manufacturer's directions.
2. Adjust stabilizer levels to 30-50 ppm by adding Stabilizer.
3. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Adjust alkalinity to 125-150 ppm by adding an alkalinity increaser. Adjust pH to 7.2 - 7.6 by adding a pH decreaser to lower pH, or by adding a pH increaser to raise pH. Adjust calcium hardness to 175-225 ppm by adding a calcium hardness increaser.
4. Check and adjust residual chlorine level to desirable range of 1-3 ppm.

NOW USE THIS PRODUCT:

Initial Application/Start Up Dose:

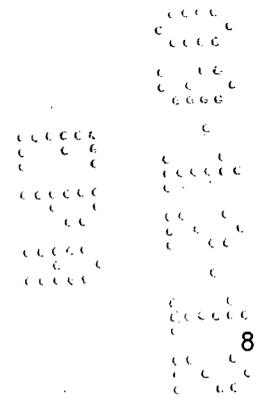
- [1.] For initial application, [or when visible algae is present,] add 1.3 fluid ounces (2½ tablespoons) per 1,000 gallons of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 2 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.
- [2.] If necessary, the next day, brush dead algae off pool surfaces so it can be filtered away. Repeat step 1 to remove additional algae.]

Maintenance Application:

To prevent algae growth add this product every 5-7 days or after heavy rain at a rate of 0.3 fluid ounces (2 teaspoons) per 1,000 gallons of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 0.5 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.

{Following chart is optional. All or some of the swimming pool capacities may be incorporated.}

Swimming Pool Capacity	Initial Treatment	Weekly Maintenance Dose
Gallons of Water		
250	0.3 fl. oz. (2 teaspoons)	0.075 fl. oz. (½ teaspoon)
500	0.7 fl. oz. (4 teaspoons)	0.15 fl. oz. (1 teaspoon)
1,000	1.3 fl. oz. (2½ tablespoons)	0.3 fl. oz. (2 teaspoons)
1,500	2.0 fl. oz.	0.45 fl. oz. (1 tablespoon)
2,000	2.6 fl. oz.	0.6 fl. oz. (4 teaspoons)
2,500	3.25 fl. oz.	0.75 fl. oz. (5 teaspoons)
3,000	4.0 fl. oz.	0.9 fl. oz. (2 tablespoons)
4,000	5.2 fl. oz.	1.2 fl. oz. (2½ tablespoons)



{Directions to be used for swimming pool winter algaecide}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] *{or}* [This product] is an efficient and economical way to prevent green and blue-green algae in swimming pools during the winter months, when the pool is not in use.

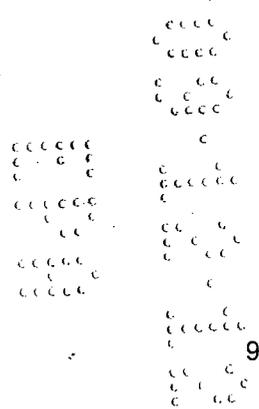
DIRECTIONS FOR USE: It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

For best results, the pool should be free of algae before adding [Aqua Clear Winter Algaecide] *{or}* [this product] and a solid or close mesh cover should be used to keep debris from accumulating in the pool.

Add [Aqua Clear Winter Algaecide] *{or}* [this product] at the rate of [64 fl. oz. per 25,000 gallons] *{or}* [32 fl. oz. per 12,500 gallons] *{or}* [16 fl. oz. per 6,250 gallons] of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 4 ppm active ingredient in the water. This will help control algae growth over the winter months and make for easier clean-up in the spring.

Make sure the pump is on and circulating water at the time of algaecide addition. Allow pump to operate three (3) to six (6) hours after adding algaecide. Then cover the pool. For proper winterization of swimming pool equipment, refer to manufacturers instructions.

To reopen pool in the spring, follow start up procedures for your pool's equipment operations and chemical treatment program.



{Simplified use directions covering product use as a swimming pool algaecide (both regular and small volume pools) and for a swimming pool winter algaecide (to close pool).}

Prevents algae in swimming pools.

[How?]

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

- Test and balance water before using this product. Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool balancing instructions.

[Start-up] {or} [Start-up/Opening]:

- Add [13 fluid ounces per 10,000 gallons] {or} [6.5 fluid ounces per 5,000 gallons] {or} [add 1.3 fluid ounces (2½ tablespoons) per 1,000 gallons] (2 ppm active ingredient) along pool edges while filter and pump are operating for the first week's application, then follow Once a Week directions.

Once a Week:

- Add [3 fluid ounces per 10,000 gallons] {or} [1.5 fluid ounces per 5,000 gallons] {or} [0.3 fluid ounces (2 teaspoons) per 1,000 gallons] (0.5 ppm active ingredient) along pool edges while filter and pump are operating.
- Use only with pools that have a water re-circulating system (pump) and filter.
- Apply more often after heavy rain, frequent backwashing or partial drain/refill.
- Wait at least 15 minutes after adding product before entering the pool.
- This product may foam; do not use in spas, pools with attached spas, or water features.
- To kill visible algae use [Aqua Chem Algaecide 50%][Aqua Clear Alginate] or to prevent and kill visible algae use [Aqua Chem Algaecide Plus][Terminator].

{The following is optional text to be used at BioLab's discretion with closing swimming pool use directions.}

To Close Pool:

- Add 32 fluid ounces per 12,500 gallons {or} [16 fluid ounces per 6,250] along pool edges and allow filter and pump to operate for 2-4 hours.
- [Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool closing instructions.]]

